

TAM:EP:mz

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA) CRIMINAL NO. 1:01-CR-321
)
)
v.) (Judge Kane)
)
ANTHONY ALSTON)

MOTION TO CONTINUE SUPPRESSION HEARING

AND NOW comes the United States of America, by its attorneys, Thomas A. Marino, United States Attorney for the Middle District of Pennsylvania, and Eric Pfisterer, Assistant United States Attorney for same district, and moves this Honorable Court to continue the date scheduled for a suppression hearing in the above-captioned matter based on the following:

1. Both counsel for the United States of America and the defense attorney are unavailable on the currently scheduled date of December 14, 2005. The undersigned has two long-standing medical appointments and attorney Ulrich is scheduled to move on that date.
2. Counsel for the Government intends to file a brief in response to defendant's motion to suppress which, among other things, will argue that a hearing is unnecessary in the Court's consideration of the issue raised.

WHEREFORE, the Government, with the concurrence of the defense, respectfully requests that the suppression hearing in the above-captioned matter be set for sometime in January 2006 after the briefing of the issue is complete.

Respectfully submitted,

THOMAS A. MARINO
United States Attorney

/s/ Eric Pfisterer
ERIC PFISTERER
Assistant United States Attorney
228 Walnut Street, Suite 220
P.O. Box 11754
Harrisburg, Pennsylvania 17108
Attorney I.D. No. PA738492
(717) 221-4482
(717) 221-4582 (Facsimile)
ERIC.PFISTERER@USDOJ.GOV

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA) CRIMINAL NO. 1:01-CR-321
)
)
v.) (Judge Kane)
)
ANTHONY ALSTON)**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this 28th day of November 2005, she served a copy of the attached

MOTION TO CONTINUE SUPPRESSION HEARING

by electronic means by sending a copy to each of the e-mail addresses stated below:

Addressee:

Lori Ulrich, Esquire
pamd-fpd.hbg@verizon.net

/s/ Mary Zerance

Mary Zerance
Legal Assistant